

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORKJeffrey McKiver 72734-054

(In the space above enter the full name(s) of the plaintiff(s).)

-against-

N.Y.C.P.D. Midtown S  
Metropolitan Police Department  
Officer Thomas Gericling  
Officer Alberto Pineda  
Officer George Gracis  
A.D.A. Office Amanda Levy  
Attorney Zwei Wasserman  
Judge J. Komisar

(In the space above enter the full name(s) of the defendant(s). If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Part I. Addresses should not be included here.)

## I. Parties in this complaint:

A. List your name, identification number, and the name and address of your current place of confinement. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff Name Jeffrey McKiver  
 ID # 72734-054  
 Current Institution Metropolitan Correction Center  
 Address 150 Park Row  
New York, New York, 10007

B. List all defendants' names, positions, places of employment, and the address where each defendant may be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant No. 1 Name Thomas Gericling Shield # 1527  
 Where Currently Employed N.Y.C.P.D.  
 Address Midtown S i-Police Plaza

RECEIVED  
SDNY DOCKET UNIT  
COMPLAINT  
JUN 12 PM 3:32  
under the

Civil Rights Act, 42 U.S.C. § 1983

(Prisoner Complaint)

Jury Trial:  Yes  No

(check one)

**17CV4411**

Defendant No. 2

Name Alberto Piney Shield # 17167  
 Where Currently Employed N Y C P D  
 Address Midtown S 1 Police Plaza

Defendant No. 3

Name George Garcia Shield # 15257  
 Where Currently Employed N Y C P D  
 Address Midtown S 1 Police Plaza

Defendant No. 4

Name \_\_\_\_\_ Shield # \_\_\_\_\_  
 Where Currently Employed \_\_\_\_\_  
 Address \_\_\_\_\_

Defendant No. 5

Name \_\_\_\_\_ Shield # \_\_\_\_\_  
 Where Currently Employed \_\_\_\_\_  
 Address \_\_\_\_\_

## II. Statement of Claim:

State as briefly as possible the facts of your case. Describe how each of the defendants named in the caption of this complaint is involved in this action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary.

A. In what institution did the events giving rise to your claim(s) occur?

Midtown S 1 Police Plaza, Believe to be S.A. -  
RACIAL PROFILING Act to a Step-Ahead-Risk

B. Where in the institution did the events giving rise to your claim(s) occur?

Did not have Probable Cause.

C. What date and approximate time did the events giving rise to your claim(s) occur?

D. Facts: On August 22, 2014 around 6:45 AM  
and all I was doing there is to catch a bus  
from Pennsylvania to the state of North Carolina I  
was at the Port Authority and out of the bus  
station Thomas Corraling walk over from across  
the floor to the bus just started asking me question  
about what's was in my pocket. I ask him why he  
did not answer me, And he ask me if I had any  
I.D. I said yes and gave it to him, So he call  
my info. in and I had no warrants so he  
make me take everything out of my pocket and  
that's when the search ~~was~~ started and I  
got arrested with the hand cuff on to right  
and the same with the leg's Cuff's on to  
left as well and he would not releasing them  
after me asking on a lot of difference times.

Who did what?

No

Who else saw what happened?

Not of people was there at the Port Authority

### III. Injuries:

If you sustained injuries related to the events alleged above, describe them and state what medical treatment, if any, you required and received.

To my right both of them  
as well as with leg's.

### IV. Exhaustion of Administrative Remedies:

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted." Administrative remedies are also known as grievance procedures.

#### A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

Yes  No  when leaving I-Police Plaza and on to  
the tomb in Manhattan jail on to  
Riker's Island

If YES, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

First at 1-Police Plaza and then  
Manhattan Jail and also Rikers Island

B. Does the jail, prison or other correctional facility where your claim(s) arose have a grievance procedure?

Yes  No  Do Not Know

C. Does the grievance procedure at the jail, prison or other correctional facility where your claim(s) arose cover some or all of your claim(s)?

Yes  No  Do Not Know

If YES, which claim(s)? \_\_\_\_\_

D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose?

Yes  No

If NO, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

Yes  No

E. If you did file a grievance, about the events described in this complaint, where did you file the grievance?

All I know to do at the time was tell my Attorney

1. Which claim(s) in this complaint did you grieve? \_\_\_\_\_

2. What was the result, if any? \_\_\_\_\_

3. What steps, if any, did you take to appeal that decision? Describe all efforts to appeal to the highest level of the grievance process. \_\_\_\_\_

F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here:

BECAUSE I did not know what the NYPD  
was as corrupt as they are I found out  
at a later time

2. If you did not file a grievance but informed any officials of your claim, state who you informed,

My Attorney Zevi Wasserman and he did nothing  
or said anything

when and how, and their response, if any: I told my Attorney  
And he did not nothing about what happen  
and how it happen

G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

There was also two more Attorney's  
Debra Hoskins and  
Matthew Small's Attorney at law.

Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.

V. Relief:

State what you want the Court to do for you (including the amount of monetary compensation, if any, that you are seeking and the basis for such amount). For everyday in jail in Manhattan  
as well as Riker's Island as well as in the  
U.S. Department of Justice the Federal Bureau of  
Prisons, for pain and suffering, Police misconduct  
malpractice for the Lawyer's and the D.A. and  
the Judge of Manhattan Supreme Court  
all played a part of me being in jail. I am seeking  
\$ 2.5 million dollars and for my limited knowledge  
of the law I am asking for a appointed counsel  
in this matter

VI. Previous lawsuits:

A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?  
Yes        No       

On  
these  
claims

B. If your answer to A is YES, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another sheet of paper, using the same format.)

1. Parties to the previous lawsuit:

Plaintiff \_\_\_\_\_

Defendants \_\_\_\_\_

2. Court (if federal court, name the district; if state court, name the county) \_\_\_\_\_

3. Docket or Index number \_\_\_\_\_

4. Name of Judge assigned to your case \_\_\_\_\_

5. Approximate date of filing lawsuit \_\_\_\_\_

6. Is the case still pending? Yes \_\_\_\_\_ No \_\_\_\_\_

If NO, give the approximate date of disposition \_\_\_\_\_

7. What was the result of the case? (For example: Was the case dismissed? Was there judgment in your favor? Was the case appealed?) \_\_\_\_\_

On  
other  
claims

C. Have you filed other lawsuits in state or federal court otherwise relating to your imprisonment?

Yes \_\_\_\_\_ No \_\_\_\_\_

D. If your answer to C is YES, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same format.)

1. Parties to the previous lawsuit:

Plaintiff \_\_\_\_\_

Defendants \_\_\_\_\_

2. Court (if federal court, name the district; if state court, name the county) \_\_\_\_\_

3. Docket or Index number \_\_\_\_\_

4. Name of Judge assigned to your case \_\_\_\_\_

5. Approximate date of filing lawsuit \_\_\_\_\_

6. Is the case still pending? Yes \_\_\_\_\_ No \_\_\_\_\_

If NO, give the approximate date of disposition \_\_\_\_\_

7. What was the result of the case? (For example: Was the case dismissed? Was there judgment in your favor? Was the case appealed?) \_\_\_\_\_

I declare under penalty of perjury that the foregoing is true and correct.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

Signature of Plaintiff

Inmate Number

Institution Address

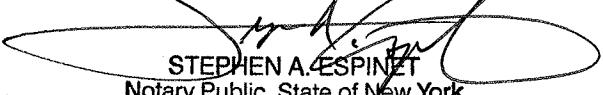
*Jeffrey McBain*  
72734-054  
Metropolitan Correction Center  
150 PARK ROW  
New York, New York  
10007

Note: All plaintiffs named in the caption of the complaint must date and sign the complaint and provide their inmate numbers and addresses.

I declare under penalty of perjury that on this 8<sup>th</sup> day of June, 2017, I am delivering this complaint to prison authorities to be mailed to the *Pro Se* Office of the United States District Court for the Southern District of New York.

Signature of Plaintiff:

*Jeffrey McBain*

  
STEPHEN A. ESPINET  
Notary Public, State of New York  
No. 01ES6194593  
Qualified in Kings County  
Commission Expires October 6, 2020

8<sup>th</sup> June 2017

LEGAL DOCUMENT

CIVILIAN COMPLAINT REVIEW BOARD

Dear Ms, Fornelli,

My name is Jeffery McKiver B&C, No:349-14-11884, The reason I am writing to you is because I have been discriminated against by the NYPD. The leading officer goes by the name of Thomas Gerding sheild No:1527 Command Transit Bureau(1 one) Police Plaza

It was on the morning of August 22nd, 2014. The time was around 6:30 or 6:45 am is when I got to the Port Of Authority from home in which I live in Brooklyn. I was to catch a bus to the state of North Carolina and when I arrived there the line was kinda long and I did not want to lose my chance to catch that bus because that was the only one that was going to North Carolina that morning and so I went to the J-Pay to perches a ticket and I was thinking that it would be the same price and was to leave at the same time. The bus I was suppose to catch was to leave at 7:20 am and the ticket that I perches was to leave at 7:20 pm on the same day on August 22nd, 2014 so I made up my mind to leave later that same day. So I decided to get me something to eat and then go back home and so when I finish eating I went outside to have me a cigarette and when I finish smoking I went back on the inside.

And when I was on the inside of the bus station walking I did notic a man coming towards me to keep in mind there was alot of people around that time in the morning people going and coming Thomas Gerding was coming from across the floor from my right side and when he got to me I tryied to go around him because he looks to be homeless or he was just lost. I tryied to stept away from him again and by this time he pulled out a bage from around his neck and ask me to follow him just for a minute and I ask him why and he did not answer my question and on the way to the other two police officers that was standing next to the wall.

On the way to the side officer Gerding ask me if I had any I.D on me and I said yes so I pulled out my walet from my right back pocket and I danded him my I,D, He ran my name through the system and my name came up clean that means no warrants before all of this happen I did put my back pack on the floor so I could get my walket out of my back pocket. He ask me again what all did I have in my pockets and I ask him why again. At this point he put his hand on his service and took a stept behine me and ordered me to take everything out of my pocket and I did complied with the oder

I began taking out what I has in my right front pocket my shirt was long that it covered my pockets so I had some money in my right front pocket and so I began to take out my money because it was approximately \$450.00 and after I took the money out of my pocket I told officer Gerding that I had a small knife that was in my pocket so I took out the knife and I gave it to officer Gerding and he did not know how to open it so I ask him to give me the knife and I will show him how to open it and he did give me the knife back and I showed him how it work and I gave the knife back to officer Gerding. So he did not take the knife from me because that would make him look bad and I did notic alot of,,

surveillance videos in the area where I was arrested there was no reason for officer Gerding to even ask me for anything at all and after I gave him the knife he said to me did I know that it was against the law to have a knife in the port of authority and I said no but all I know is you can't smoke or carry a gun in the port of authority he did not know that I had a knife on me not until I told him and I gave it to him because there was no reason for a search. So at the time he ask me was that was my back pack that was on the floor and I said yes so he started going through it and he came across a small bag of Pot and he said to me that it was illegal to have that substance so he put the cuffs on me.

I was question without an attorney present in which I request and he said that I did not have the right to an attorney not until I was arrested I was not read my miranda rights or nothing so we went down in the basement of the port of authority and I put into a holding cell after he search me and after around an hour he came and search me again my shoes and all. I was strip search by officer Gerding for about 5 different times by him.

I was healt in that basement with the arresting officers for over 13:30 hours and the whole nine yards doing mug shots and being finger printed and after that I still did not have the attorney of any kind and I kept on asking for one.

So finely we left the police station which is ONE POLICE PLAZA and we went to the court house with the hand cuffs on my wrist so tight and on my legs the cuffs was cutting into my flesh and I was complaining to the officers that they was hurting me and they did nothing to loosen them. So in the courthouse we met up with the ADA and her name was Amanda Levy I was still hand and leg cuffed.

Officer Gerding and Amenda Levy the two of they went into a room and they stayed in the room for about 45 minutes and after the two of them came out Amenda went into her office and she set up a video and ask my to take a statement and when I didnt she got very mad at me because I refuse to do that without an attorney so the both of them went back into the room for a while before I went to the Criminal Court Judge I was giving a bail in the amount of \$200,000 over \$100,000. I did not go to Criminal Court not until September 3rd, 2014. And before then I did not have an attorney not until August 26 or the 27 is when I had an attorney to come and see me and his name was Zwi Wasserstein he was from the New York County Defender Services 225 Broadway Suite 1100.

I told him about what happen and how it all happen and where it happen and he wrote my statement down and he said to me that he was going to look over it and he said that he was going to set up a court date in which it was September the 3rd, 2014 I forgot the judge name but I do know that she was a black lady judge and after that I was bound over to the Manhattan Supreme Court Part 31 and I got Indictment on September 23rd, 2014 before Hon. Jill Konviser Indictment No:4028/2014. My attorney Mr, Zwi Wasserstein knew about the surveillance video and which he told me to my face that I was not going to get it on more than one attempt and when I asked him why he said to me that I was not going to get the video or was I was going to view it and I knew right then that I had to get him off of my case and all he had to do was investigate what I was saying in which he knew that I was telling him the truth and after he messed up my case because he refuse to get a copy of the surveillance video because that would prove that the arresting officers was not telling the truth.

Federal Court System took my case I left the State system on the date of August the 26th, 2015 and now I did cop out to 68 months and 60 months of supervise release and I feel just because a man or woman get trap up in a drug arrest the justice system can do as they pleas just to cover up something that they did just like a illegal stop and frisk and its been a on going thing for years.

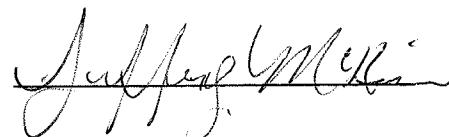
if my attorney would have done his job the right way and didnt ignored the fact there was evidence that would and could have supported my claim of innocence which consisted of the video tape surveillance cameras that were situated in the exact location of my arrest. This particular information was not requested by Mr, Zwi Wasserstein and there is a strong possibility that the videos no longer exist. Just because the justice system failed me again.

The accountability is not what the public needs and just because there are people like these who use special skills and special powers to use against the public. And just because these kinds of people are in offices that dont follow the law themself.

Something needs to be done about it so this don't keep on happen to people like myself. All should be punish for breaking the law and it should go for the people that are in the high offices so I am bring this lawsuit into the light of the misconduct of the justice system so this is for the unlawful arrest and the incargration of myself Jeffery McKiver and when there was not the slighest of evidence of criminal activity or probale cause to make an arrest by the NYPD. The Police Officers Innolved names, Officer Thomas Gerdung Sheild No: 1527  
Officer Alberto Piney Shield No: 17167  
Officer George Gracia Shield No: 15257  
Lt. Michael Goldreyer Shield No: ????  
Det. Jason Miller Shield No: 2120  
Det. Rudy Lahens Shield No: 2065  
Det. Joseph King Shield No: 6514  
Officer Michael McCarthy Sheild No: 18030.

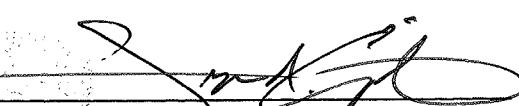
Jeffery McKiver  
Signature

Date: June 8 - 2017,



Sworn before me on this day, 8<sup>th</sup> June 2017

Signature Of Notary,



STEPHEN A. ESPINET  
Notary Public, State of New York  
No. 01ES6194593  
Qualified in Kings County  
Commission Expires October 6, 2020

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
UNITED STATES COURTHOUSE  
PRO SE INTAKE UNIT  
500 PEARL STREET,  
NEW YORK, NEW YORK, 10007-1312

To Pro Se Intake Unit,

My name is Jeffery Mckiver Reg No:72734-054. The reason that I am writing to you administration is to attemp to file charges against the state of New York legal and the law enforcement officers for there Misconduct and for Perjury I took all of the stepts that I knew to take to try and get to the end of this mistake that was made by the NYPD/ 1 Police Plaza and my attorney at the time and his name was Mr,Zwi Wasserstein and he work for the New York Country Defender Services address 225 Broadway Suite 1100 New York,New York, 10007 and the said police officers that was involved in my arrest.

I was arrest on August 22nd,2014 at the Port Of Authority by offices Thomas Gerdin Sheild No:1527 Command Transit Bureau and two others of his officers in his work force at the time of my arrest it was I do believe the names of the other two were Officer Alberto Piney Shield No:17167 Command Transit Bureau and Officer George Gracia Shield No:15257 Command Transit Bureau.

Just them three was there at the time I ended up being arreste for drugs. There was false ststement made by the Transit Police Department that was handed down to the ADA and from her my at the time Attorney to build a case against me because the arresting officer made a mistake because he had no reason to arrest me and it made it to the Judge Hon.Jill Konviser and I got my Indictmen Felony Complaint my Indictment No:4028/2014.

The information that I have I got from Mr,Zwi Wasserstein in the Brady Material and the date I reciece that was on October 17, 2014. I wrote to the Civilian Complaint Review Doard to take action and the Departmental Disciplinary Committee refuse to do anything about this matter here is what they send to me in reply.

The NYPD committed perjury when they said to the ADA how and where the arrest had taken place and it was a false ststement. I was arrested at the Port Of Authority here in Manhattan New York and we all know that there are surveillance videos all over the place the location where I was arrested at there are many and I told my attorney about the surveillance videos that are in the area but the arresting officer that I was arrested in another area in which I ask my attorney to investigate my claim but he refuse to because there was a cover up it was a illegal search and seizure and without the surveillance they can say anything to the ADA to build up there case and because I didnt do like they ask me to do for them now the state drop my case and now the

The most important thing to the Police Department was they wanted to to work for them because they kept on asking me to do that for them the NYPD/ ADA/ and my Attorney are all conspiring against me on this case because I refuse to put my family and my own life in danger so they can make a case against someone else.

I found out about what my attorney wrote in his notes and it not what I told him it was on October 17, 2014 is the date I notice that he put down what the NYPD/ Thomas Gerdinger and the Police officers that was to be involved at the time of my arrest.

Officer Thomas Gerdinger Shield No:1527.

Officer Alberto Piney Shield No:17167.

Officer George Gracia Shield No:15257.

Lt. Michael Goldreyer

Det. Jason Miller Shield No:2120.

Det. Rudy Lahens Shield No:2065.

Det. Joseph King Shield No:6514

Officer Michael McCarthy Shield No:18030.

All of these officers got together and made up the story the way that they saw fit in my arrest. In other words this is the way the investigation turn out and none of it is true and if so there would have been a surveillance video in there investigation and I would not had a problem with none of what happen and how it happen as the defendant in this matter I am just trying to bring this letter to the attention to the public because it is my hope and my extreme concern about the legal system and its one that I am never going to understand and I am hopeing that you can help.

I would like to ask the following question: What is the difference between the POLICE/CORRECTIONAL OFFICERS/DETECTIVES and the NORCOTICS SQUADS and specifically the ONE POLICE PLAZA PRECINCT in Manhattan New York. To be compared to any defendant who can be falsely accused of a crime by corrupt police and the legal system. The answer to this should be simple but because the NYPD are allowed to lie and make false claims against citizen we should all be very worried about this matter.

There should be no difference between us as the citizen but it is obvious that there is a big difference even though we are all breaking the law in their eyes. I the defendant Jeffery McKiver will submitted this letter under Article (1) of the New York State & Federal Constitution and the Bill of Rights Freedom of Speech and the press against criminal prosecution for libel.

(1)- The Bill of Rights, New York State Constitution.

See People Vs, Jeffery McKiver, Indictment case No; 04028 /2014. This is for the record that is already on file. I the defendant was indicted by the Assistant District Attorney and she goes by the name of Amanda Levy her job title is the New York County District Attorney Office. I was not allowed to stand beside my attorney when I got indicted and I told Mr. Zwi Wasserstein I did want to be there and that was a violation of my rights as well. There was no signature of the Foreman or the acting Foreman of my Indictment from the Grand Jury and that was a violation of the 14th Amendment of the United States Constitution and the due process clause. The Grand Jury protection of certain enumerated rights, it is the duty of the public officers to sign a waiver of immunity and give a testimony and there is a penalty for refusal.

The Constitution shall not be violated by any Government agency or the United States Criminal Justice System and again I am writing your office to request that an investigation be immediate conducted into the unlawful arrest and incarceration of a Jeffery

McKiver by law enforcement officers who did so without the slightest of evidence of criminal activity or probable cause to make said an arrest. It was early in the morning rush hour.

The court assigned attorney Zwi Wasserstein ESQ, of the legal Aid Society and he failed to investigate my claim of having been subject to the unlawful acting of the arresting officers who did fabricated evidence against me in order to proceed on the felony charges. Accusatory instrument that was without a legitimate basic Mr, Zwi Wasserstein fail to make the court aware of my desire to testify before the Grand Jury as well as to articulate unto the court to have a reason not to be stop by the police officer the charge was just for a very small amount of Marihuana.

These are all of the attorneys that I told the same thing to about my arrest in the Port Of Authority where there are video Surveillance all over the building and all fail to investigate my claim after Attorney Zwi Wasserstein the address is 225 Broadway Suite 1100 New York, New York, 10007 phone number is 212-803-5100

Attorney ms, Debra Hoskins her address is 108-30-217 Place

Queens, New York, 11429

Phone number is 718-468-2277

Attorney Matthew R, Smalls his address is 305- Broadway, 14th, Floor New York, New York, 10007 phone number is 917-932-4189.

Mr, Zwi Wasserstein ignored the fact that there was evidence that would and could support my claim of innocence which was consisted of the surveillance video cameras that were situated in the exact location where I was arrested. This particular information was not requested by Mr, Zwi Wasserstein and there is a strong possibility that the surveillance video no longer exist.

I was told by my attorney at the time his name was Mr, Matthew Small the the Assistant District Attorney said if I didnt take the One To Three Year Offer that the Federal System was going to take my case and my attorney was suppose to file a motion called Pursuant To Criminal Procedure Law(30.30)(2)(a) in which it never made it to Hon. Judge J. Konviser. And I file the same motion and I mailed it in to the courts myself on 100 Center Street and Matthew told me not to do that because it only makes the judge mad and month after month my case kept being delayed.

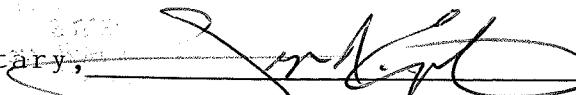
So now I am in the Federal System just like Amanda Levy said and now I have 11 years over my head because my request for an investigation was not granted by my attorneys and something needs to be done to people like that who use special skills and special powers to use against the public. All should be punish for breaking the law and it should go for the people that are in high offices so pleas investigate my complaint once again.

Jeffery McKiver  
Signature



Sworn before me this day. 8th June 2017

Signature of Notary,



STEPHEN A. ESPINET  
Notary Public, State of New York  
No. 01ES6194593  
Qualified in Kings County  
Commission Expires October 6, 2020

TO: THE CLERK OF THE COURT:

Manhattan New York,  
Supreme Court Part: 31

From: Jeffery McKiver  
349-14-11884

Subject: Certified-Copy of Indictment in accordance with the  
NEW YORK STATE STATUTE RULES OF THE COURT, WITH THE  
GRAND JURY FOREMAN SIGNATURE THEREON

Re: People v. Jeffery McKiver  
Indictment # 2014/NY 065303

State of New York )  
County of N.Y. ) s.s.:

I, Jeffery McKiver, certify that I am the herein defendant, and respectfully  
request for a *True Certified Copy of my Indictment #* 2014/NY 065303

I was arrested on August The 22, 2014 and on September The 3 2014  
the local Criminal Court Part, \_\_\_\_\_ County of New York, held the case for the Grand  
Jury Action.

Thereafter on September The 23rd, 2014 in the Supreme Court, Part 31,  
County of New York, I was arraigned on the above indictment and at the time of my  
arraignment I was not served with a copy of the Indictment.

Therefore, I respectfully request that a copy of said indictment *bearing the signature of  
the Grand Jury Foreman* and all the required Court emblems and other requirements be made  
available to me free of charge. In the event that this request is not granted, I ask for a written  
explanation as to why I am being denied such request, and that such explanation be noted within  
the court records, and files.

No prior application has been made for this request, I am also certifying that a true copy of this letter has been properly notarized on the below notarized date and mailed to the Clerk of the Supreme Court, Part 31, for submission to the court.

Dated: July The 22nd, 2015 .

Respectfully submitted,

*Jessica M. Kiser*  
Defendant  
B/C # 349-14-11884

11-11-HAZEN ST

EAST, Elmhurst New York

11370

Office of  
Manhattan, County District Attorney  
Amanda Levy  
One Hogan Place, New York  
10013

Sworn to before me on this  
22<sup>nd</sup> day of July, 2015

*J. M. Kiser*

NOTARY PUBLIC STATE OF NEW YORK  
N.Y. CO. #155003  
QUEEN COUNTY  
EXPIRES 12/2017  
10/24/2017

ADMINISTRATIVE OFFICE  
COMPLAINT OF MISCONDUCT  
ONE COLUMBUS CIRCLE, N,E,  
WASHINGTON, D,C, 20544

May 19th, 2017

To whom it may concern:

My name is Jeffery McKiver Reg No:72734-054. The reason that I am writing to the administration is to attempt on finding out about the outcome of that package I send to you around the month of September 2016. And in that package it was about a complaint about the misconduct that's in the justice system from the NYPD/ADA/Attorneys. All has a part in this.

When I first got arrested in August 22nd, 2014 for drugs at the time it was a state case. I was on Riker's Island for over a year on the 23rd, 2014 of August there was a false statement made that I went to criminal court that next day in which I did not because I did not have an attorney at that time, In the package that you have is proof of what I am saying is to be true.

I was arrested at the Port Of Authority here in Manhattan N,Y, and as we all know there are surveillance videos all over the building. The area that I was arrested at is where you load the buses because I was on my way to North Carolina and I had no other reason to be anywhere else. When I did get an attorney it was about 4 days later and I told the attorney what happen and where it happen and that there was surveillance videos at the location and all he had to do is investigate what I was telling him was true. His name was Mr, Zwi Wasserstein and he refuse to do anything about it. I am a Black man who had money and some drugs in my possession and what the officer did was illegal search and seizure and to cover up the mistake that he made and without the surveillance video he could say what he wanted to say to the ADA.

There is a lot of perjury in the justice system and due from that there are a lot of people in jail that shuold not be such as myself. I was told by my attorney if I didn't take what the DAD offer me that the Federal System was going to pick up my case. I was in Rikers Island Correctional System ofr over a year as I did say before and because I didn't do like she said I am now in the Federal System like she said. Before then I filed a 30.30.2-A Motion for a speedy trial but my case kept getting post pone.

Because my attorney didn't investigate the police officer now I have 11 years over my head. So pleas review my complaint very carefully and pleas by all means investigate why the attorney did not retrieve a copy of the surveillance video so I can attempt to bring some disclosure in regarding this matter.

Pleas find this letter necessary and appropriate the justice

system and the accountability is not what the public needs and just because there are people like these who use special skills and special power to be used against the public.

And just because of these kinds of people are in office that don't follow the law themselves something needs to be done about it so this don't keep on happen to people all should be punish for breaking the law and it should go for people that are in the high offices so please investigate my complaint once again.

C.C.FILE:

Date: May 18<sup>th</sup> 2017

Jeffery McKiver  
Signature



Sworn before me this day. 18<sup>th</sup> May 2017

Signature of notary,



STEPHEN A. ESPINET  
Notary Public, State of New York  
No. 01ES6194593  
Qualified in Kings County  
Commission Expires October 6, 2020

**New York County Defender Services**

225 Broadway, Suite 1100  
New York, New York 10007

TEL: (212) 803-5100

FAX: (212) 571-6035

October 17, 2014

Mr. Jeffery McKiver  
BC#: 349141184  
GMDC  
15-15 Hazen Street  
East Elmhurst, NY 11370

Re: People v. Jeffery McKiver  
Ind. No.: 4028/14

Dear Mr. McKiver:

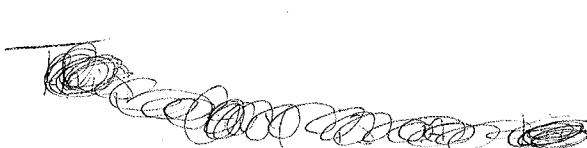
Enclosed please find copies of documents pertaining to your file which includes the following:

Indictment  
Felony complaint  
Lab  
Rap-Sheet  
Xerox copies of property  
Property vouchers.

If you have any further questions, please feel free to contact our office.

Yours truly,

  
Zwi Wasserstein  
Attorney at Law





## DEPARTMENTAL DISCIPLINARY COMMITTEE

SUPREME COURT, APPELLATE DIVISION

FIRST JUDICIAL DEPARTMENT

61 BROADWAY

NEW YORK, NEW YORK 10006

(212) 401-0800

FAX: (212) 287-1045 (NOT FOR SERVICE OF PAPERS)

**ERNEST J. COLLAZO, ESQ.**  
CHAIRMAN

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KATHY W. PARRINO  
ORLANDO REYES  
YVETTE A. ROSARIO  
REMI E. SHEA

July 2, 2015

PERSONAL AND CONFIDENTIALJeffrey McKiver, #349-15-1184  
15-15 Hazen Street  
East Elmhurst, New York 11370Re: Matter of Zwi Wasserstein, Esq.  
Docket No. 2015.0817

Dear Mr. McKiver:

The Departmental Disciplinary Committee has completed its investigation of your complaint against the above-referenced attorney. As explained below, the Committee has decided to take no further action.

Specifically, the allegations made against your defense attorney are essentially that his representation is ineffective. Since this may be a basis for an application for new counsel, such allegations should be made in the first instance to the court. Your alleged dissatisfaction with your attorney, however, does not amount to professional misconduct and, accordingly, further investigation of this matter by the Committee is unwarranted.

The Committee arrived at this determination after the case was submitted to a member of the Committee, an independent board of lawyers and non-lawyers appointed by the Appellate Division, First Judicial Department. The Committee member concluded that no further investigation or action was warranted.

You may seek review of this decision by submitting a written request for reconsideration to this office at the above address within thirty (30) days of the date on this letter.

Very truly yours,



Jorge Dopico

JD:RV:mrh

Y:\RVALLEJO\wassersteinzwi.wpd

JEFFERY MCKIVER  
GEORGE MOTCHAN DETENTION CENTER  
15-15 HAZEN STREET  
EAST ELMHURST, NEW YORK 11370

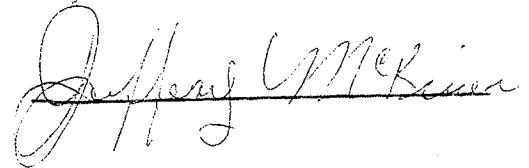
Judge J. Konviser  
100 Centre Street  
New York, New York 10013

RE: People v. Jeffery McKiver (Ind. No. 04028/2014)

Dear Sir/Madam:

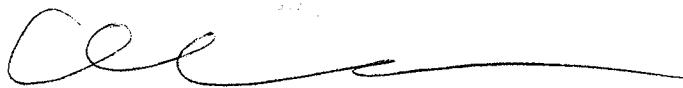
This letter is in reference to the time and/or delay in the prosecution of this case at bar. The period of delay resulting from a continuance granted by the Court at the request of, or with the consent of, the defendant or his counsel. The Court must grant such continuance, also in the **interest of justice**, the defendant request for a calculation of the time that is charged to the People and what is charged to the defendant, to calculate from the date of the filing of the accusatory instrument.

Pursuant to Criminal Procedure Law § 30.30(2)(a), the defendant has a statutory right to be release on his own recognizance or given a reasonable bail. The defendant has made this request in writing to ensure great possibilities of life and liberty.

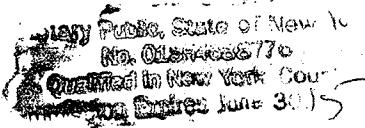


Sworn to before me this

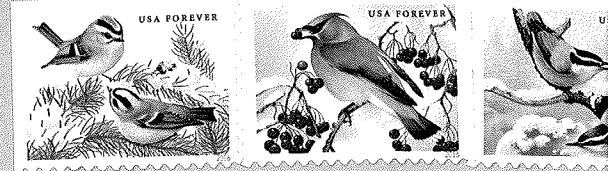
31<sup>st</sup> day of June, 2015



NOTARY PUBLIC



Notary Public



MR, JEFFERY MCKIVER  
REG NO: 72734-054  
M,C,C, NEW YORK  
150 PARK ROW  
NEW YORK, NEW YORK,  
10007.

USM P3  
CDNY

RECEIVED  
SDNY DOCKET

2017 JUN 12 PM 3:32

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
PRO SE INTAKE UNIT  
UNITED STATES COURTHOUSE  
500 PEARL STREET, NEW YORK, NY,  
10007-1312

LEGAL MAIL: